

CITY OF CHARLOTTETOWN

PROCEDURAL BYLAW

BYLAW #2018 – 19

BE IT ENACTED by the Council of the City of Charlottetown as follows:

PART I – INTERPRETATION AND APPLICATION

1. Title

1.1. This Bylaw shall be known as, and may be cited as, the “Procedural Bylaw”.

2. Authority

2.1. Subsection 86(2)(e) of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1., provides that a Council must establish a procedural bylaw to regulate its proceedings in accordance with the *Municipal Government Act*.

3. Purposes

3.1. The Purposes of this Bylaw are to:

- (a) recognize the functions of the City, including providing good government;
- (b) complement and supplement, and not to replace, the requirements contained in applicable municipal legislation;
- (c) provide notice to the Members and the citizens respecting matters that will be considered by the Council; and
- (d) provide an open, respectful and orderly forum for public input, debate and decisions.

3.2. In accordance with the purposes of section 3.1, the Council hereby adopts the rules of procedure hereinafter set forth to govern meetings of the Council and Committees of Council.

4. Application

4.1. This Bylaw applies to all Members of Council, the CAO, Members of Committees of Council, City of Charlottetown Administration, those who appear before Council and members of the public.

4.2. For Committees of Council, the application of this Bylaw shall be read with the necessary modifications, as follows:

- (a) Any reference to the Mayor shall be treated as a reference to the Chair of the Committee of Council;
- (b) Any reference to a Member shall be treated as a reference to a member of the Committee of Council; and

(c) Any reference to Council shall be treated as a reference to the Committee.

4.3. When any matter(s) relating to proceedings arise which are not covered by a provision of this Bylaw or the Act, the matter shall be decided by reference to *Robert's Rules of Order, 12th Edition*, unless Council determines that another edition of the *Robert's Rules of Order* shall be used.

4.4. The precedence of the rules governing the procedures of Council is:

- (a) The Act;
- (b) Other Provincial Legislation;
- (c) This Bylaw; and
- (d) Robert's Rules of Order 12th Edition

5. Definitions

5.1. "Act" means the *Municipal Government Act*, RSPEI 1988, M-12.1;

5.2. "Administration" means the employees of the municipality;

5.3. "Chief Administrative Officer" or "CAO" means the administrative head of the City as appointed by Council under subsection 86(2)(c) of the *Municipal Government Act*;

5.4. "City" means the City of Charlottetown;

5.5. "Closed Meeting" means the portion of a meeting held pursuant to the Act, at which only members of Council or a Committee and other persons designated by Council may attend, which is approved by motion;

5.6. "Committee of Council" means any and all ad hoc or standing committees required or requested to consider, discuss or advise on matters to Council;

5.7. "Council" means the Mayor and other members of the Council of the City;

5.8. "Councillor" means a member of Council other than the Mayor;

5.9. "Employee" means, a person who performs work for the City for pay, and includes:

- (i) a person on leave from employment with the City,
- (ii) a person being trained by the municipality to perform work for the City,
- (iii) a person retained under an employment contract to perform work for the City, and
- (iv) any other person or class of person designated as an employee by the City.

5.10. "Member" means a Member of the Council and includes the Mayor.

5.11. "Notice of Resolution" or "Notice of Motion" means a written notice given by a Member at a meeting of Council advising that the motion described therein will be brought forward at the next meeting of Council;

5.12. "Petition" includes a written or an electronic petition;

- 5.13. “Place” includes, in respect of information or a notice or other document to be posted, or a meeting to be held, by electronic means, the electronic location where the information, notice or document may be found, or the electronic meeting may be accessed;
- 5.14. “Presiding Officer” means:
- (i) the Mayor when present at a meeting of the Council;
 - (ii) the Deputy Mayor when presiding at a meeting of the Council in the absence of the Mayor;
 - (iii) the Chair of a Committee of Council; or
 - (iv) such other Member as may be presiding at a meeting of the Council in the absence of the Mayor and Deputy Mayor.
- 5.15. “Resolution” means the exercise of the power of Council pursuant to the Act, and for the purposes of this Bylaw, includes a motion.

6. Rules Adopted and Suspended

- 6.1. The proceedings of the Council and Committees of Council shall be governed by this Procedural Bylaw unless a provincial enactment provides otherwise.

7. Amendment to Rules

- 7.1. This Procedural Bylaw shall not be amended or repealed except under notice given in writing to the members of Council and openly announced at a Regular Meeting of Council preceding the meeting at which the first reading of the amendment takes place.

8. Interference with the Work of the City

- 8.1. No Member shall have power to direct or interfere with the performance of any work of the City Corporation, or Administration, and no Member shall instruct or give direction to an employee.

PART II – TYPES OF MEETINGS OF THE COUNCIL

9. First Meeting of the Council after Election

- 9.1. A newly elected Council shall not transact any business until the Oaths of Office have been taken and subscribed to by persons present who have been elected to office.
- 9.2. The first meeting of the newly elected Council shall be held on the second Tuesday of December following the City’s municipal election.

10. Regular Meeting of Council

- 10.1. Unless otherwise determined by the Mayor and published in accordance with this Section, the Council shall hold a meeting on the second Tuesday of the month in the Council Chamber at City Hall and should the second Tuesday of the month be a statutory holiday, Council shall meet on the day following which is not a public holiday. The meeting shall be known as the Regular Meeting of Council. The Regular Meeting of Council shall be held at

such an hour as determined by the Mayor, and the time and place of the Regular Meeting of Council shall be published by electronic means and one other means of public notification.

11. Special Meeting of the Council

- 11.1. The Mayor may cause the CAO to call a special meeting of Council, in writing, when and as often as the Mayor may deem it proper with at least twenty-four (24) hours' notice before the time of the meeting being provided to the public and Members.
- 11.2. Upon receipt of a written petition of the majority of the Members, the CAO shall call a special meeting of the Council for the purpose and at the time mentioned in the petition, on at least twenty-four (24) hours of notice.
- 11.3. Once such a petition is received by the CAO, no Member may remove his or her name from the petition.
- 11.4. Written notice of any special meeting of the Council setting forth the matters to be considered shall be given to all Members by delivery to the address or official email address of each Member recorded with the CAO, not less than twenty-four (24) hours prior to the time fixed for the meeting and the CAO shall make every reasonable effort to contact the Members to advise of the meeting. The CAO shall also cause notice of the meeting to be published on the City's web site or other social media avenue, at least twenty-four (24) hours in advance of the time of the special meeting of the Council.
- 11.5. No business other than that stated in the notice shall be transacted at a special meeting unless all members are present and unanimously agree to deal with other matters.
- 11.6. If other matters are dealt with at the special meeting of Council, such other matters shall be recorded in the minutes of the special meeting.
- 11.7. Council shall set a fixed day each month when a special meeting of Council may be held, being the fourth Tuesday of every month, at a time to be determined, provided the procedure for the calling of a special meeting of Council in this Bylaw is followed. A special meeting of Council may be held on a day other than the day fixed herein, provided the procedure for calling the special meeting of Council in this Bylaw is followed.

12. Closed Meetings

- 12.1. Council or a Committee of Council may, by resolution passed at or before a regular or special meeting of the Council or Committee of Council, hold all or part of a regular or special meeting that is closed to the public, when the matter to be discussed at the meeting is in relation to any of the confidential matters contained in section 119(1) of the *Municipal Government Act*.
- 12.2. No resolution or bylaw can be passed during a closed meeting other than by resolution as set out in section 119(2) of the *Municipal Government Act*.

- 12.3. A resolution to a close all or a part of a regular or special meeting of Council must state the reason(s) for closing the meeting, in accordance with section 119(3) of the *Municipal Government Act*.
- 12.4. The Council or Committee of Council shall make any matter considered at a closed meeting public when the confidentiality is no longer required, in accordance with subsection 119(4) of the *Municipal Government Act*.
- 12.5. No Council Member, Committee of Council Member or employee of the City shall, subject to subsection 119(5) of the *Municipal Government Act*, disclose or act on any information acquired at a closed meeting of Council or a Committee of Council respecting a matter or report disclosed or discussed at the meeting, prior to the matter or report being dealt with at an open meeting of Council or a Committee of Council.

13 Electronic Meetings

- 13.1. Pursuant to section 122 of the *Municipal Government Act*, Council may authorise meetings to be conducted by electronic means, including but not limited to a teleconference, a video conference or a live publicly streamed broadcast, in accordance with the provisions of this Bylaw.
- 13.2. Subject to section 13.3 of this Bylaw, a Committee of Council may hold a meeting by electronic means upon passage of a resolution by the Committee to that effect.
- 13.3. A meeting shall only be conducted by electronic means if the electronic means by which the meeting is conducted enables, at a minimum:
 - a) the Council or the Members of a Committee of Council participating in the meeting to hear and speak to each other; and
 - b) where the meeting is open to the public, the public is able to see and hear the meeting's participants at a place specified in the notice of the meeting.
- 13.4. The CAO shall ensure that at least twenty-four (24) hours' notice of an electronic meeting is given to all Council Members or Committee of Council Members and to the public of a meeting, advising:
 - a) that the meeting will be conducted by electronic means and the information necessary to enable the public to access the electronic meeting;
 - b) where the meeting is open to the public; the location of the facilities where the public can see and hear the meeting;
 - c) The CAO shall ensure that a City employee is present at the location specified in the notice of the electronic meeting to facilitate the viewing of the meeting and to ensure that the public can see and hear the participants in the meeting.
- 13.5. During a state of emergency declared by the Minister under the *Emergency Measures Act*, a state of local emergency declared under section 146, or a public health emergency, a public meeting of Council or a Council Committee may be held by electronic means that do not comply with the requirements of clause 13.4, if:

- (a) members of the public are able to hear the meeting as it occurs; and
- (b) any members of the public who would be entitled to make submissions at the meeting if the meeting were being held in person are able, before and during the meeting, to make submissions by email or any other method that the Council or a Council Committee considers appropriate.

14 Electronic Participation in Meetings

- 14.1. Pursuant to subsection 122(4) of the *Municipal Government Act*, a Council Member or Committee of Council Member who is unable to attend a meeting of Council or Committee of Council in person may participate in the meeting by electronic means.
- 14.2. A Member may only participate by electronic means if the Council or Committee of Council Members are able to hear and speak to each other.
- 14.3. Where a Council Member or Committee of Council Member is participating in a meeting conducted by electronic means or is participating by electronic means and there is a report or recommendation to be considered in respect of a matter before the Council or Committee of Council, the Member shall take part in the debate and vote on that matter only if the Member has before them a copy of the report or recommendation to be considered, in accordance with subsection 122(6) of the *Municipal Government Act*.
- 14.4. Pursuant to subsection 122(4) of the *Municipal Government Act*, Council Members participating by electronic means are considered to be present at the meeting.

15 Electronic Participation in Closed Meetings

- 15.1 Pursuant to subsection 122(7) of the Act, electronic access to the meeting shall be restricted or suspended in order to close all or part of the meeting to the public in accordance with section 119 of the Act.
- 15.2 The chair of a Council or a Committee of Council meeting shall require every Member participating by telephone or electronic means to confirm that there is no one else present in their location who is able to hear the discussion during the closed meeting.

PART III – AGENDA FOR MEETINGS OF THE COUNCIL

16 Agenda

- 16.1 The agenda for each regular and special meetings of Council shall be prepared by the CAO and/or the CAO's designate, together with copies of all reports or communications to be dealt with at such meeting of the Council.
- 16.2 The headings of the Agenda for a regular or special meeting of Council shall be the same as the order of business set forth in sections 34 and 35 of this Bylaw.

17 Agenda Item Respecting Employee of the City

- 17.1 If a Member has an issue concerning a human resource matter, including an issue with an employee(s), either individually or collectively, the issue shall not be added to the agenda of a regular or special meeting of the Council but shall be forwarded to a closed meeting of Council as permitted under section 119(1) of the Act and this Bylaw; but not until the Member has first discussed the issue with the CAO.

18 Added Item to Agenda

- 18.1. If a Member wishes to have an item placed on the agenda for a regular Council meeting, the Member shall submit the request in writing to the CAO no later than 12:00 noon on the Wednesday prior to the regular meeting of Council at which the item is to be considered.

19 Late Additions to Agenda

- 19.1. If a Member wishes to have an item placed on the agenda for a regular meeting of Council subsequent to the deadline prescribed by section 18.1 of this Bylaw, the Member must submit the request in writing to CAO not later than by noon on the day of the regular meeting of Council.
- 19.2. The request shall include an explanation as to why the item should/or needs to be added to the agenda for the regular meeting of Council.
- 19.3. The Mayor and the CAO shall review all requests received that comply with this section and shall decide whether or not to place the item on the agenda. The CAO shall notify the Member of the decision to place or not place the item on the agenda in advance of the regular meeting of Council.

20 Items Added by Council

- 20.1. Notwithstanding section 19 of this Bylaw, the Council shall not vote on a motion arising out of an item added to the agenda by a Member until a staff report and recommendation is received from the appropriate standing committee.

21 Agenda Review

- 21.1. The agenda for a regular meeting of Council shall be reviewed by the Mayor and CAO prior to the meeting; or by the Chair of a standing Committee of Council and CAO prior to the meeting of a standing Committee of Council.
- 21.2. On receipt of a request for a presentation to be made at a meeting of Council, the CAO or the CAO's designate, shall review the request and determine in consultation with the Mayor or Chair of the meeting, as appropriate, the appropriate disposition of the request.

22 Cancellation of any Meeting of the Council

- 22.1. A meeting of the Council or a Committee of Council may be cancelled if in the opinion of the Mayor or designated chair of the Council meeting, or the Chair of a Committee of Council, that there are insufficient agenda items for which to meet.

22.2. As per subsection 121(3) of the Act and section 4 of the Procedural Bylaw Regulations, if Council changes the date, place or time of a regular or special meeting, the CAO must give at least 24 hours notice of the change:

- a) to the public on the municipality’s website and by sign or poster that is posted in a place that is accessible to the general public; and
- b) to all members of Council by providing a copy of the notice to each Council member by telephone, e-mail or text message, as directed by each council member.

22.3 As per clause 4(1)(a) of the Procedural Bylaw Regulations, the notice referred to in section 22.2 of this bylaw shall specify the type of meeting and the new date, place and time of the meeting.

PART IV – INFORMATION PRIOR TO MEETING OF THE COUNCIL

23 Agenda Package

23.1 On the Friday preceding each regular meeting of the Council, each Member shall be delivered electronically or provided with a copy of the following:

- a) the agenda;
- b) a copy of each report which is to be considered;
- c) a copy of each motion to be considered if the motion or the purpose thereof is not indicated on the agenda.

24 Information to be provided to the Public

24.1. The CAO shall ensure that the agenda and the other information referred to in section 23 of this Bylaw are made available to the general public, subject to section 25 of this Bylaw, no later than 9:00 am on the day of the regular meeting of Council.

25 Circulation of late Reports

25.1. If an item on the agenda has a notation indicating that the report will be circulated other than with the agenda package, the report shall be delivered electronically or circulated to all Members as soon as is reasonably possible, and in no case shall the report be made available to the public prior to the report having been provided to all Members.

PART V – REQUIREMENT FOR A MEETING OF THE COUNCIL

26 Duties of Presiding Officer

26.1. The Presiding Officer of a meeting of Council shall be the Mayor or such other Member who is acting in the stead of the Mayor at a regular or special meeting of Council or the chair or Member acting in the stead of the chair of a Committee of Council and the Presiding Officer shall have the following duties:

- a) open the meeting of the Council or the Committee of Council by taking the chair and calling the Members to order;
- b) receive and submit, in the proper manner, motions properly presented by a Member;
- c) put to a vote a question that is moved and seconded or necessarily arises in the course of the proceedings and announce the result of the vote;
- d) decline to put to a vote a motion which infringes upon the rules of procedure as set forth in the Act or this Bylaw;
- e) restrain a Member(s), when engaged in debate, within the rules of order as set forth in the Act or this Bylaw;
- f) enforce, on all occasions, the observance of order and decorum;
- g) call by name any Member persisting in a breach of the rules of order of the Council thereby as set forth in the Act or this Bylaw, ordering him or her to vacate the Council Chamber or meeting room for Committee meetings; if warranted;
- h) permit questions to be asked through the Presiding Officer of any official of the City to provide information to assist any debate when he or she deems it proper to do so;
- i) provide information to Members on any matter touching on the business of the City;
- j) inform the Council when necessary, or when referred to, on a point of order;
- k) adjourn the meeting when the business is concluded;
- l) at the time of calling the meeting to order, the Presiding Officer may call for a moment of reflection.

27 Call to Order the Meeting of Council

- 27.1. As soon after the hour of a meeting as there is a quorum present at a regular or special meeting of Council, the Presiding Officer, shall take the chair and the Members shall be called to order.
- 27.2. If the Mayor is not present within fifteen (15) minutes of the hour of a meeting, the Deputy Mayor shall take the chair and the Members shall be called to order.
- 27.3. If neither the Mayor nor the Deputy Mayor is in attendance within fifteen (15) minutes after the hour appointed for a meeting, the Council may appoint a person to preside from among the Members present.
- 27.4 The CAO shall cause the minutes of a meeting of Council to record the names of the Members present, the names of Members who arrive after the meeting has been called to order and the time of their arrival and the names of the Members who depart prior to or during the meeting and the time of their departure or absence from the meeting.

27.5 If there is no quorum present fifteen (15) minutes after the time appointed for the meeting, the CAO shall call the roll and ensure that the names of Members present are recorded, and the meeting shall then stand adjourned.

28 Presiding Officer has Power of the Mayor

28.1. For greater certainty, while presiding, the Presiding Officer shall have all the powers of the Mayor under this Procedural Bylaw.

29 Seating of Members

29.1. Seating of Members in the Council Chamber shall be in numerical order of their wards, unless otherwise determined by the Mayor.

30 Quorum for Meeting

30.1. Subject to section 113 of the Act, a quorum is a majority of all the Members of Council or a Committee of Council.

30.2. Where there is a vacancy in the Council's numbers, a quorum is determined in accordance with section 113 of the Act.

31 Person within Bar of the Council

31.1. No person, except a Member or an approved employee of the City, shall be allowed to come beyond the bar of the Council during a regular or special meeting of Council without the express permission of the Presiding Officer.

32 Placing items on Desks

32.1. No person, other than a Member, the CAO, or other person as directed by the CAO shall, before or during a meeting of the Council, place on the desks of Members or otherwise distribute to Members any material whatsoever unless such person is so acting with the permission of the Presiding Officer or the CAO.

33 End of Meeting

33.1. A meeting of the Council shall stand adjourned at three hours after its commencement unless otherwise determined by a vote of two-thirds (2/3) of the Members present at the meeting.

PART VI – PROCEDURES DURING A MEETING OF THE COUNCIL

34 Order of Business

34.1. The order of business of a regular Meeting of Council shall be:

- a) Call to order;
- b) Declarations of conflict of interest;
- c) Approval of agenda;

- d) Adoption of minutes;
- e) Business arising from the minutes;
- f) Reports from standing and ad hoc Committees of Council;
- g) Introduction of new business;
- h) Adjournment

35 Order of Business at Special Meeting of Council shall be:

35.1. The order of business of a special Meeting of Council shall be:

- a) Call to order;
- b) Declarations of conflict of interest;
- c) Approval of the agenda;
- d) Consideration of the particular business for which the special meeting of Council was called;
- e) Adjournment.

35.2 If there are a number of items for consideration at a special meeting, the order of business for a regular meeting of Council shall be followed so far as is possible.

36 Voting

36.1 Voting at meetings of Council shall be undertaken in accordance with section 115 of the Act, as follows:

- a) each Member present, except the Mayor, will vote on every matter unless a Member is excused specifically from voting, by resolution, or the Member is prohibited from voting because the Member has a conflict of interest;
- b) no vote of Council will be taken by ballot, or any other method of secret voting and any vote taken by any form of secret voting is of no force or effect;
- c) all votes of Council, both for and against, will be recorded;
- d) the failure or refusal of a Member to vote on a matter that is properly before the Council will be considered a vote in favour except when the Member is excused or prohibited from voting in accordance the Act and this Bylaw;
- e) where there are an equal number of votes for and against a bylaw or motion, the Mayor or Presiding Officer will vote for the purposes of breaking the tie.

37 Conduct during Public Council Meetings

37.1 All persons in the public gallery at a Council meeting will:

- a) refrain from addressing Council or a member of Council unless permitted to do so by the Presiding Officer;
- b) maintain quiet and order;

- c) refrain from disturbing the proceedings by words, gestures or actions, including applauding, displaying flags, placards or similar material;
- d) refrain from talking on electronic mobile devices; and, ensure that all electronic devices are silent and operated in such a manner that does not interfere with the meeting or with another person's ability to hear or view the proceedings.

37.2 Speaking to Question

- a) No Member shall speak more than twice to the question without a majority vote of those Council Members present, except in explanation of a material part of his or her speech which may have been misconceived and in doing so, the Member is not to introduce a new matter.
- b) A Member shall not speak the first time for more than five (5) minutes.
- c) No Member shall, without a majority vote of those Council Members present, speak a second time to the same question or in reply for longer than three (3) minutes.

37.3 Conduct during Public Council Meetings

- a) Each Applicant shall be allotted a maximum of ten (10) minutes;
- b) Participants shall speak only once and for no more than five (5) minutes on each agenda item.

38 Points of Order, Procedure or Privilege

- 38.1 A Member of Council may, at any time, rise on a point of order, a point of privilege or a point of information. All debate shall cease, and the "point" shall be clearly stated by the Member and, if applicable, ruled upon by the Presiding Officer.
- 38.2 A Member of Council may, at any time during debate, request that the question, motion or matter under discussion be clarified or restated.
- 38.3 Where the Presiding Officer is called upon to decide a point of order or practice in accordance with section 111 of the Act, the Presiding Officer shall state the question without unnecessary comment and decide the issue citing the rule or authority applicable thereto.

39 Appeal of Decision of the Mayor

- 39.1 Whenever a Member wishes to appeal any ruling of the Presiding Officer or a point of order or point of privilege to the whole of Council pursuant to section 112 of the Act:
 - a) the motion of appeal shall be made immediately after the ruling is made by the Presiding Officer or otherwise the ruling will be final;

- b) the Member may offer a brief reason for the challenge; and
- c) the Presiding Officer may state the reason for the decision made.

39.2 Following the motion of appeal and the response, if any, from the Presiding Officer, the question shall be put to a vote immediately without debate.

39.3 The Presiding Officer will be governed by the vote of the majority of the Members of Council present, and eligible to vote.

39.4 Neither the Presiding Officer nor the appellant will participate in the vote on an appeal.

40 Motions and Debate

40.1 A motion will express fully and clearly the intent of the mover.

40.2 A motion will not be considered unless it has been seconded.

40.3 Any Member may require the motion under debate to be read at any time during the debate, but not so as to interrupt a Member while speaking.

40.4 When a motion is under debate no other motion may be made, except a motion to:

- a) amend a motion;
- b) refer a motion to a Committee of Council or administration for a report back to Council;
- c) postpone a motion to a fixed date;
- d) request that a motion be put to a vote;
- e) extend the time for a Council meeting; or
- f) adjourn the meeting.

40.5 Notwithstanding any other provisions of this Bylaw, the member of Council who moved a motion after a motion is under debate may, with the consent of Council, change the wording of the motion or agree to a change proposed by another member if the alteration does not change the intention of the motion.

40.6 All motions will be considered in the order in which they were moved.

41 Notice of Motion

41.1 Members may bring forward notices of motion as an item on the agenda of a regular meeting of Council. The notice of motion shall be provided to the CAO prior to the regular meeting of Council package deadline.

41.2 A written copy of the Notice of Motion, along with the background rational that supports said Motion, shall then be provided to the CAO who shall forward it to the appropriate Committee of Council for consideration, and the Committee shall provide a recommendation on the Motion to Council.

41.3 Once the recommendation of the Committee is made, the Notice of Motion will be placed on the next regular meeting of Council agenda.

42 Minutes

- 42.1 The CAO shall ensure that the minutes of meetings record all resolutions, decisions, and proceedings of the Council and shall at a minimum include:
- a) The place, date and time of meeting;
 - b) The name of the Presiding Officer and the record of attendance of the Members, and employees present;
 - c) The subject matter of the issued discussed; and
 - d) All motions moved, or moved and seconded, by a Member or Members.
- 42.2 If there are any objections to such minutes of the Council presented at any regular meeting of the Council, the Member making the objection shall state the grounds of the objection, without comment, and if the Council agrees, the minutes shall be altered accordingly.
- 42.3 If all the Members present at such a meeting do not agree to the proposed alteration, a motion must then be duly made and seconded, to amend the minutes, to meet such objection, which shall then be debatable.
- 42.4 Where the Minutes have been previously circulated to the Members, reading of such minutes is not required unless a motion requiring such is adopted.
- 42.5 After the Minutes have been adopted, the Minutes shall be signed by the Mayor or Chair (as appropriate), and the CAO and posted to the City's website.
- 42.6 Where a meeting is closed to the public, the minutes of the meeting that may be disclosed to the public will be restricted to:
- a) The place and date of the meeting;
 - b) The names of the Council or Committee Members and employees present; and
 - c) The type of matter under section 119(1) of the Act that was discussed at the meeting.
- 42.7 Copies of the minutes will be open to inspection by any person during regular office hours and copies of the minutes will be provided to any person, on payment of the fee, if any, established by the council in a bylaw made pursuant to section 147 of the Act.
- 42.8 Proceedings, when taken in the form of minutes, shall not be recorded verbatim and shall be recorded in accordance with the best practices of the City. Verbatim minutes and/or verbatim excerpt requests of Council and/or Committee meetings shall be provided for internal legal purposes only. Request for verbatim will be directed to the Chief Administrative Officer for approval.

43 Committees of Council

- 43.1. The Mayor may establish standing and/or ad hoc committees that will consider, discuss and debate matters of Council interest before such matters are forwarded to Council for decision.

- 43.2. The Mayor may also designate the committees' mandate, term, composition, objectives, tasks, duties and responsibilities, and appoint its members to deal with any matter. The Mayor may also establish the eligibility criteria for membership and determine the events or circumstances that would result in termination of a committee member.
- 43.3. The Mayor will, by order, dissolve a committee of Council upon completion of their specific mandate.
- 43.4. The CAO shall designate certain employees of the City as may be required to be non-voting advisors to one or more committees, with the right to attend their designated committee.
- 43.5. Where a special meeting of a Standing Committee is called, the designated Administrative support will follow the procedures for the calling of a special meeting and ensure that notice of the special meeting is given.
- 43.6. Notice to the public of a regularly scheduled meeting or a special meeting of a standing committee must be published by electronic means and posted in the form of a sign or poster in a place that is accessible to the general public.

PART VII – BYLAWS

44. Bylaw Procedures

- 44.1. Council may make, amend or repeal a bylaw in accordance with the procedures established in the Act and, as applicable, this Bylaw.
- 44.2. A bylaw only validly made by Council if it is read and formally approved by a majority of the Council members present and voting takes place on two occasions at meetings of the Council that are held on different days.
- 44.3. A bylaw may be approved and adopted by Council by resolution after being read a second time.
- 44.4. Pursuant to section 125 of the Act, if copies of the proposed bylaw have been made available to the public at a Council meeting or prior to the meeting in which the proposed bylaw is to be read, the reading may consist of the recitation of the bylaw name and number and a brief description of its effect. Where copies of the proposed bylaw have not been made available to the public at or prior to the meeting, the entire proposed bylaw will be read word by word.
- 44.5. A bylaw adopted by Council must be printed, signed by the Mayor and the CAO, and sealed with the corporate seal of the City of Charlottetown.
- 44.6. Council may, in accordance with subsection 125(3) of the Act, amend a proposed bylaw after its first reading. If it is amended, the amendment will be read word by word at the meeting even if copies of the bylaw with the proposed amendment are made available to the public.

- 44.7. Where Council proposes to amend a bylaw, the same procedure shall be followed as found in sections 44.2 to 44.5.
- 44.8. Pursuant to section 127 of the Act, the first and second readings of a proposed bylaw are rendered null if the bylaw is not passed within two years from the date of first reading.
- 44.9. A bylaw established by Council will come into force at the time it is passed unless otherwise provided for in the Act or in the bylaw. If the Act or another Act requires a bylaw to be approved by the Minister, the bylaw will not come into force until the approval of the Minister is given.
- 44.10. A regulation to a bylaw is made if:
- 44.10.1 It is formally adopted by resolution of the Council; and
 - 44.10.2 It is signed by the Mayor and CAO, and formally declared to be passed, and sealed with the corporate seal of the City.
- 44.11 The CAO shall ensure that a copy of every bylaw passed is filed with the Minister within 21 days of adoption or as required by provincial statute. The copy will be certified by the CAO as being "a true copy of the original seen by me" on the document, and shall be signed, dated, and printed with the CAO's name under their signature, as well as their occupation, address and telephone number.
- 44.12 Council will make copies of all bylaws available for inspection by any person, in accordance with section 128 of the Act. Council will provide any person with a copy of any bylaw on payment of the fee, if any, established by the council in a bylaw made pursuant to section 147 of the Act.
- 44.13 Planning bylaws undertaken under the authority of the Planning Act shall be made in accordance with section 19 of that Act.

PART VIII – OTHER MATTERS

45. Member Education Sessions

- 45.1 Sessions for educational purposes may be held with Members as required, based on the following criteria:
- (a) sessions are optional and do not require quorum;
 - (b) the purpose of the education session and Member attendance is recorded and summarized in a report for information at the next Council Meeting;
 - (c) minutes shall not be taken;
 - (d) are strictly educational (one-way information), allowing for clarifying questions;
 - (e) do not progress matters within Council's jurisdiction;
 - (f) information provided may be shared with the public (not confidential);
 - (g) where no directions or instructions shall be given to the CAO or Employees;

- (h) where no procedural or Council business decisions are made by the Members; and
- (i) not open to the public or publicly broadcasted.

46. Independent Officer

- 46.1. In accordance with section 86.2(e)(iv) of the *Municipal Government Act*, the appointment or the suspension or revocation of the appointment shall be by a vote of at least two-thirds of the members of council then holding office voting in favour of the resolution to appoint, suspend or revoke the appointment of the independent officer, as the case may be.

“This document is an office consolidation of this Bylaw (amending bylaw adopted 12-Feb-2024). It is intended for information and reference purposes only. This document is not the official version of the Bylaw. Where accuracy is critical, please consult official sources. If you find any errors or omissions in this consolidation, please contact the Procedure & Records Coordinator.”